



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TYRONE B. HUTCHINS,
#35000

Plaintiff,

vs.

NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,

Defendants.

3:10-cv-00369-LRH-RAM

ORDER

This is a *pro se* prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. On January 4, 2011, the court granted plaintiff's motion for leave to file a first amended complaint (docket #15). The court screened the proposed amended complaint pursuant to 28 U.S.C. § 1915A(a). Because the proposed amended complaint was actually only a list of defendants that plaintiff sought to add, the court dismissed the amended complaint but granted plaintiff leave to file a second amended complaint (docket #17). The order, dated January 11, 2011, directed plaintiff to file his second amended complaint within thirty days (docket #17).

More than the allotted time has elapsed and plaintiff has not filed a second amended complaint. Accordingly, the operative complaint is the complaint filed September 15, 2010 (docket #6), and this action will proceed on that complaint.

1 **IT IS THEREFORE ORDERED** that this action will proceed pursuant to plaintiff's
2 complaint filed September 15, 2010 (docket #6).

3 DATED: February 28, 2011.

4
5 
6 UNITED STATES MAGISTRATE JUDGE